

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 686 - SB 1205

March 7, 2023

SUMMARY OF BILL AS AMENDED (005093): Prohibits an employee or volunteer of a domestic violence shelter, crisis line, or victim services provider from disclosing various types of relevant information, communication, or records pertaining to services provided to victims of domestic abuse, sexual offenses, trafficking, and stalking. Establishes criteria that must be considered in order for a court to compel disclosure of such information. Establishes that such a victim's consent is not implied when the victim is a party to a judicial, legislative, or administrative proceeding, and that the victim may waive the privilege of such information only by express written consent. Authorizes a victim to file a lawsuit against an advocate or a victim services provider.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- The proposed legislation establishes rights of confidentiality for victims of the named offenses. It does not alter the policies or procedures in any judicial, legislative, or administrative proceeding that would significantly alter or lengthen the expected course of such proceedings.
- There will not be a sufficient increase in lawsuits against state or local victim services providers to significantly impact state or local expenditures. Any additional cases associated with lawsuits can be accommodated by the courts using existing staff and resources.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

/jj